

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-14350
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 19, 2012 JOHN LEY CLERK
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D.C. Docket No. 1:10-cv-01617-JOF

GWENDOLYN BLACK,

Plaintiff-Appellant,

versus

UNITEDHEALTH GROUP INCORPORATED,
UNITEDHEALTH GROUP LONG-TERM DISABILITY PLAN,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Georgia

(June 19, 2012)

Before CARNES, WILSON and HILL, Circuit Judges.

PER CURIAM:

This is an appeal from the grant of defendants/appellees's, UnitedHealth Group Incorporated, and UnitedHealth Group Long-Term Disability Plan (UnitedHealth), motion for summary judgment, against plaintiff/appellant, Gwendolyn Black (Black), and, the denial of Black's motion for summary judgment.¹

Black was employed by United HealthCare Services as a telephone registered nurse case manager. When multiple health issues presented, she applied for long-term disability benefits. Black claims on appeal that UnitedHealth wrongfully denied her claim for long-term disability benefits.

We have reviewed the record in this appeal, the briefs, and the arguments of counsel. The record indicates that UnitedHealth denied benefits to Black after three independent reviewing physicians separately determined that she was not disabled under the terms of the plan. In light of that evidence, we agree with the district court that UnitedHealth's decision was neither arbitrary nor unreasonable.

The judgment of the district court is AFFIRMED.

¹ As to Count Four of Black's complaint only, the district court granted in part, and denied in part, Black's motion for summary judgment. In all other respects, it denied Black's motion for summary judgment.

As to Count Four, in an effort to encourage plan administrators to promptly respond to requests for documents, the district court penalized UnitedHealth \$10 per day for each day that Black was denied the information she requested. UnitedHealth was directed to pay Black \$1,120, in statutory penalties, for violation of 29 U.S.C. § 1024(b)(4).